

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1386B

1 WHEREAS, Richard and Ann Hudson, have submitted an application
2 designated as Special Permit No. 1386B for authority to amend Windhoek 4th Addition
3 Community Unit Plan to add one lot and to waive sidewalks, street trees, street lighting,
4 landscape screens and stormwater detention on property located at 112th Street and Van
5 Dorn, and legally described to wit:

6 Outlots A and C, Windhoek Addition; Lots 2 and 3, Block 1,
7 and Lots 1, 2, 3 and 4, Block 2, and Lot 1, Block 3, and Outlots
8 A and B, Windhoek 2nd Addition; and Lot 1, Block 1, and
9 Outlot A, Windhoek 3rd Addition, all located in Section 31,
10 Township 10 North, Range 8 East of the 6th P.M., Lancaster
11 County, Nebraska and more particularly described as follows:

12
13 Beginning at the northeast corner of Outlot A of said Windhoek
14 3rd Addition; thence on an assumed bearing of south 00
15 degrees 16 minutes 18 seconds east along the east line of
16 said Outlot A of Windhoek 3rd Addition, a distance of 1320.13
17 feet to a point of deflection; thence south 00 degrees 16
18 minutes 40 seconds east along the east line of said Outlot A of
19 Windhoek 3rd Addition, a distance of 1285.21 feet to the
20 southeast corner of said Outlot A of said Windhoek 3rd
21 Addition; thence south 89 degrees 52 minutes 36 seconds
22 west along the south line of Outlot A, said Windhoek 3rd
23 Addition, a distance of 592.27 feet to a point of deflection;
24 thence south 89 degrees 52 minutes 36 seconds west along
25 the south line of Lot 2, Block 1 of said Windhoek 2nd Addition,
26 a distance of 461.92 feet to a point of deflection; thence south
27 89 degrees 52 minutes 36 seconds west along a south line of
28 Outlot C of said Windhoek Addition, a distance of 60.08 feet to
29 a point of deflection; thence south 89 degrees 51 minutes 29
30 seconds west along the south line of Lot 1, Block 2 of said
31 Windhoek 2nd Addition, a distance of 515.25 feet to a point of
32 deflection; thence south 89 degrees 54 minutes 43 seconds
33 west along the south line of Outlot B of said Windhoek 2nd
34 Addition, a distance of 270.68 feet to a point of deflection;

1 thence south 00 degrees 12 minutes 42 seconds east along
2 the easterly line of Lots 2 and 3, Block 2 of said Windhoek 2nd
3 Addition, a distance of 629.92 feet to a point of deflection;
4 thence south 00 degrees 07 minutes 45 seconds east along
5 the easterly line of Outlot A of said Windhoek Addition, a
6 distance of 60.00 feet to a point of deflection; thence south 00
7 degrees 03 minutes 29 seconds west along the easterly line of
8 Lot 1, Block 3 of said Windhoek 2nd Addition, a distance of
9 612.44 feet to the southeast corner of Lot 1, Block 3, said
10 Windhoek 2nd Addition; thence south 89 degrees 52 minutes
11 15 seconds west along the southerly line of Lot 1, Block 3, said
12 Windhoek 2nd Addition, a distance of 427.70 feet to a point of
13 deflection; thence north 49 degrees 11 minutes 51 seconds
14 west along the southwesterly line of Lot 1, Block 3, said
15 Windhoek 2nd Addition, a distance of 35.32 feet to a point of
16 deflection; thence north 00 degrees 00 minutes 00 seconds
17 east along the easterly right-of-way line of South 112th Street,
18 a distance of 3780.64 feet to a point; thence along a curve in
19 a counter clockwise direction, having a radius of 1482.69 feet,
20 arc length of 63.36 feet, delta angle of 02 degrees 26 minutes
21 54 seconds, a chord bearing of north 61 degrees 00 minutes
22 36 seconds east along a northeasterly line of Outlot A of said
23 Windhoek 3rd Addition, and a chord length of 63.36 feet to a
24 point; thence north 59 degrees 36 minutes 35 seconds east
25 along a northeasterly line of Outlot A of said Windhoek 3rd
26 Addition, a distance of 142.04 feet to a point of deflection;
27 thence north 89 degrees 49 minutes 46 seconds east along
28 the north line of Outlot A of said Windhoek 3rd Addition, a
29 distance of 2162.37 feet to the true point of beginning; said
30 tract contains a calculated area of 153.65 acres, or
31 6,693,397.26 square feet more or less; and

32
33 WHEREAS, the real property adjacent to the area included within the site
34 plan for this amendment to add one lot to the Community Unit Plan will not be adversely
35 affected; and

36 WHEREAS, said site plan together with the terms and conditions hereinafter
37 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal
38 Code to promote the public health, safety, and general welfare.

39 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
40 Lincoln, Nebraska:

1 That the application of Richard Ann Hudson, hereinafter referred to as
2 "Permittees", to amend Windhoek 4th Addition Community Unit Plan to add one lot be and
3 the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65
4 of the Lincoln Municipal Code upon condition that development of said Windhoek 4th
5 Community Unit Plan be in strict compliance with said application, the site plan, and the
6 following additional express terms, conditions, and requirements:

7 1. This permit approves a total of nine dwelling units.

8 2. The requirements of Sections 26.27.020, 26.27.070, 26.27.080,
9 26.27.090, and 26.23.105 relating to the installation of sidewalks, street lighting, landscape
10 screens, street trees, and storm water detention respectively, are waived pursuant to
11 Section 26.31.010 based upon the rural nature of the proposed development and its
12 location outside the corporate limits.

13 3. Before receiving building permits the Permittees must submit a
14 permanent reproducible final site plan as approved and three copies to the Planning
15 Department.

16 4. Before occupying this additional dwelling unit, all development and
17 construction must conform to the approved plans.

18 5. All privately-owned improvements must be permanently maintained
19 by the Permittees, their successors and assigns.

20 6. The site plan approved by this permit shall be the basis for all
21 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
22 elements, and similar matters.

23 7. The terms, conditions, and requirements of this resolution shall be
24 binding and obligatory upon the Permittees, their successors, and assigns. The building

1 official shall report violations to the City Council which may revoke the special permit or
2 take such other action as may be necessary to gain compliance.

3 8. The Permittees shall sign and return the City's letter of acceptance to
4 the City Clerk within 30 days following approval of the special permit, provided, however,
5 said 30-day period may be extended up to six months by administrative amendment. The
6 City Clerk shall file a copy of the resolution approving the special permit and the letter of
7 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
8 Permittees.

9 9. The site plan as approved with this resolution voids and supersedes
10 all previously approved site plans, however all resolutions approving previous permits
11 remain in force unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2001:

Mayor